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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant Martin O’Malley, Commissioner of Social Security (“Defendant”), through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings.

¹ Martin O’Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O’Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 On remand, the Commissioner will develop the record as necessary; reconsider all
2 relevant issues; offer the claimant the opportunity for a hearing; and issue a new decision. The
3 parties further request that the Court direct the Clerk of the Court to enter a final judgment in
4 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

5 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
6 Social Security Act, 42 U.S.C. 405(g).

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8 Dated: June 13, 2024

*/s/ Francesco P. Benavides **

FRANCESCO P. BENAVIDES
Attorney for Plaintiff

*Authorized via e-mail on June 13, 2024

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15 By: */s/ Noah Schabacker*
16 NOAH SCHABACKER
17 Special Assistant United States Attorney

18 Attorneys for Defendant

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20 **ORDER**

21 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of
22 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown,
23 **IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social
24 Security for further proceedings pursuant to the fourth sentence of Section 205(g) of the Social
25 Security Act, 42 U.S.C. 405(g).

26 Dated: June 17, 2024



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28 DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE